

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

Date of mailing (day/month/year) 13 November 2000 (13.11.00)	
International application No. PCT/US00/06834	Applicant's or agent's file reference RCA89462
International filing date (day/month/year) 15 March 2000 (15.03.00)	Priority date (day/month/year) 15 March 1999 (15.03.99)
Applicant ESKICIOGLU, Ahmet, Mursit et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:04 October 2000 (04.10.00)☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Juan Cruz Telephone No.: (41-22) 338.83.38
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## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>RCA89462</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 06834</b>	International filing date (day/month/year) <b>15/03/2000</b>	(Earliest) Priority Date (day/month/year) <b>15/03/1999</b>
Applicant <b>THOMSON LICENSING S.A. et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

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☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/06834

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04N5/913 H04N7/16

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EP0-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 858 184 A (NDS LTD) 12 August 1998 (1998-08-12) page 5, column 6, line 9 -page 7, column 12, line 38 figures 1-5 -----	1-3,5-13
A	EP 0 763 936 A (LG ELECTRONICS INC) 19 March 1997 (1997-03-19) page 4, column 6, line 25 -page 5, column 7, line 44 page 11, column 20, line 33 -page 14, column 25, line 15 figures 5-7,19-25 -----	1-13

☐

Further documents are listed in the continuation of box C.

☒

Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

28 June 2000

Date of mailing of the international search report

04/07/2000

Name and mailing address of the ISA

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Authorized officer

Van der Zaal, R

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/06834

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0858184 A	12-08-1998	GB 2322030 A,B	12-08-1998
EP 0763936 A	19-03-1997	KR 166923 B	20-03-1999
		CN 1150738 A	28-05-1997
		JP 9093561 A	04-04-1997
		US 5799081 A	25-08-1998

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

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EE	Estonia	LR	Liberia	SG	Singapore		

## PATENT COOPERATION TREATY

EXPRESS MAIL EL 65391646US

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

JUN 29 2001

To:

TRIPOLI, Joseph S.  
THOMSON MULTIMEDIA LICENSING INC.  
P.O. Box 5312  
Princeton, New Jersey 08543  
ETATS-UNIS D'AMERIQUE

PCT

OTS

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 71.1)

Date of mailing  
(day/month/year) 25.06.2001

Applicant's or agent's file reference  
RCA89462

## IMPORTANT NOTIFICATION

International application No.  
PCT/US00/06834

International filing date (day/month/year)  
15/03/2000

Priority date (day/month/year)  
15/03/1999

Applicant  
THOMSON LICENSING S.A. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

## 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Event	OA	Final Country Selection to David
Deadline	15 July 2001	
Entered	DPF	7/3/01

Name and mailing address of the IPEA/

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# PATENT COOPERATION TREATY

## PCT

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REC'D 27 JUN 2001	
WIPO	PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference <b>RCA89462</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/US00/06834</b>	International filing date (day/month/year) <b>15/03/2000</b>	Priority date (day/month/year) <b>15/03/1999</b>
International Patent Classification (IPC) or national classification and IPC <b>H04N5/913</b>		
Applicant <b>THOMSON LICENSING S.A. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
  - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand <b>04/10/2000</b>	Date of completion of this report <b>25.06.2001</b>
Name and mailing address of the international preliminary examining authority:  <b>European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</b>	Authorized officer <b>Zanella, C</b>  Telephone No. +49 89 2399 8960

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/06834

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-19 as originally filed

**Claims, No.:**

1-16 as received on 23/04/2001 with letter of 20/04/2001

**Drawings, sheets:**

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☒ the claims, Nos.: 1-13

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/06834

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	1-8,10
	No:	Claims	9,11-16
Inventive step (IS)	Yes:	Claims	1-8,10
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-16
	No:	Claims	

### 2. Citations and explanations see separate sheet

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
see separate sheet

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
see separate sheet

## **ITEM V**

The subject-matter of claims 1-8,10 appears to involve an inventive step having regard to the nearest prior art represented by D1=EP-A-0 858 184 (NDS LTD) 12 August 1998 (1998-08-12), since this document discloses a method for managing access to a scrambled program, comprising a device 110 (see fig.1) which receives a scrambled program comprising scrambled data and a descrambling key (ECM), in which said descrambling key is rebundled (TECM key) and in which said scrambled data with said rebundled descrambling key are recorded (by 130).

Said descrambling key is then obtained from said rebundled descrambling key so that scrambled data can eventually be descrambled by the same device 110.

The method steps of claim 1 are thus obtained by two passes performed by the same device 110 after recording of the data.

The claimed subject-matter of claim 1-8,10 differs in that it suggests that the above steps should be performed by two separate devices; an incoming scrambled program can thus be processed in real time and recording of data is no longer necessary. It is thus found that the subject-matter of claims 1-8,10 satisfies the requirements of Art. 33(3) PCT.

The subject-matter of claims 9, 11-16 lacks novelty having regard to the disclosure of D1 (see fig.1 and the relevant passages of the description relating to this figure, when recorder 130 and IRD 110 represent the claimed first and second devices) and therefore does not satisfy the requirements of Art. 33(2) PCT.

The presently claimed subject-matter relates to the field of electronics and in particular to the design of electronic devices which are then manufactured by the industry. The present claims possess thus industrial applicability.

## **ITEM VII**

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant prior art disclosed in document D1 is not mentioned in the description, nor is this document

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/06834

identified therein.

**ITEM VIII**

The subject-matter of claim 1 suggests that two different, or separate devices, should perform the steps which are on the other hand executed in two successive passes by the device disclosed by document D1. This appears to be the only difference from the prior art which is, however, not sufficiently highlighted by claim 10.

The subject-matter of this latter claim could therefore be open also to other interpretations and more in particular is found not to be sufficiently distinguished from the prior art disclosed by D1.

## Claims

1 Method for managing access, within a network comprising a first device interconnected to a second device, to a scrambled program comprising:

- 5 (a) receiving said scrambled program in said first device, said scrambled program comprising a scrambled data component and a descrambling key;
- (b) rebundling, in said first device, said descrambling key using a unique key associated with said first device;
- 10 (c) receiving, in said second device, said scrambled data component and said rebundled descrambling key;
- (d) obtaining in said second device said descrambling key from said rebundled descrambling key; and
- (e) descrambling, in said second device, said scrambled data
- 15 component using said descrambling key.

2. The method of Claim 1 wherein said descrambling key is encrypted and the step of rebundling comprises:

- 20 (a) decrypting said encrypted descrambling key using a key associated with said scrambled program; and
- (b) re-encrypting said descrambling key using said unique key associated with said first device to produce said rebundled descrambling key.

25 3. The method of Claim 2 wherein said unique key associated with said first device is a public key, said public key being located in said first device and a corresponding private key being located in said second device.

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4. The method of Claim 2 wherein the step of rebundling is performed within a first smart card coupled to said first device and the steps of decrypting and descrambling are performed within a second smart card coupled to said second device.

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5. The method of Claim 1 further comprising the step of initializing said first device within said network.

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6. The method of Claim 5 wherein the step of initializing comprises the step of receiving said public key from a conditional access provider, said step of receiving comprising authentication of said conditional access provider.

7. The method of Claim 5 wherein said public key is prestored in one of said smart card and said access device.

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8. The method of Claim 1 wherein said descrambling key is one of encrypted using a private means if said scrambled program is received from pre-recorded media and protected by a private means if said scrambled program is received from a service provider.

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9. Method for managing access to a scrambled program comprising:

- 5 (a) receiving, from a first device, said scrambled program comprising a scrambled data component and a rebundled descrambling key encrypted using a network key;
- (b) decrypting, in said second device, said rebundled descrambling key to generate said descrambling key; and
- (c) descrambling, in said second device, said scrambled data component using said descrambling key.

10 10. Method for managing access to a scrambled program received from a service provider within a network having an access device and a presentation device, said method comprising:

- 15 (a) receiving said scrambled program in an access device, said scrambled program comprising a scrambled data component and an encrypted descrambling key;
- (b) decrypting, in said access device, said encrypted descrambling key using a key associated with said service provider;
- 20 (c) re-encrypting said descrambling key, in said access device, using a public key associated with said access device;
- (d) receiving, in said presentation device, said scrambled data component and said re-encrypted descrambling key;
- (e) decrypting, in said presentation device, said re-encrypted descrambling key to obtain said descrambling key; and
- 25 (f) descrambling, in said presentation device, said scrambled data component using said descrambling key.

30 11. The method of Claim 9 wherein said scrambled program is prerecorded on media and provided to said access device, said encrypted descrambling key being received from said prerecorded media.

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12. Method for recording a scrambled program received from a service provider, said method comprising:

- 5       a. receiving said scrambled program in an access device, said scrambled program comprising a scrambled data component and an encrypted descrambling key;
- b. decrypting, in said access device, said encrypted descrambling key using a key associated with said service provider;
- c. re-encrypting said descrambling key, in said access device, using a public key associated with said access device;
- 10       d. receiving, in a recording device, said scrambled data component and said re-encrypted descrambling key; and
- e. recording said scrambled data component and said re-encrypted descrambling key on media coupled to said recording device.

15   13. The method of Claim 12 wherein said scrambled program is prerecorded on media.

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## CLAIMS

1. Method for managing access, within a network comprising a first device interconnected

to a second device, to a scrambled program comprising:

- 5 (a) receiving said scrambled program in said first device, said scrambled program comprising a scrambled data component and a descrambling key;
- (b) rebundling, in said first device, said descrambling key using a unique key associated with said first device;
- 10 (c) receiving, in said second device, said scrambled data component and said rebundled descrambling key;
- (d) obtaining in said second device said descrambling key from said rebundled descrambling key; and
- (e) descrambling, in said second device, said scrambled data component using said descrambling key.

15 2. The method of Claim 1, wherein said descrambling key is encrypted and the step of rebundling comprises:

- (a) decrypting said encrypted descrambling key using a key associated with said scrambled program; and
- 20 (b) re-encrypting said descrambling key using said unique key associated with said first device to produce said rebundled descrambling key.

3. The method of Claim 2 wherein said unique key associated with said first device is a public key, said public key being located in said first device and a corresponding private key  
25 being located in said second device.

4. The method of Claim 2 wherein the step of rebundling is performed within a first smart

card coupled to said first device and the steps of decrypting and descrambling are performed  
30 within a second smart card coupled to said second device.

5. The method of Claim 1 further comprising the step of initializing said first device within said network.

5

6. The method of Claim 5 wherein the step of initializing comprises the step of receiving said public key from a conditional access provider, said step of receiving comprising authentication of said conditional access provider.

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7. The method of Claim 5 wherein said public key is prestored in one of said smart card and said access device.

15 8. The method of Claim 1 wherein said descrambling key is one of encrypted using a private means if said scrambled program is received from prerecorded media and protected by a private means if said scrambled program is received from a service provider.

20 9. Method for managing access to a scrambled program comprising:

(a) receiving, from a first device, said scrambled program comprising a scrambled data component and a rebundled descrambling key encrypted using a network key;

(b) decrypting, in said second device, said rebundled descrambling key to generate said descrambling key; and

25 (c) descrambling, in said second device, said scrambled data component using said descrambling key.

10. Method for managing access to a scrambled program received from a service provider within a network having an access device and a presentation device, said method comprising:

- 5 (a) receiving said scrambled program in an access device, said scrambled program comprising a scrambled data component and an encrypted descrambling key;
- (b) decrypting, in said access device, said encrypted descrambling key using a key associated with said service provider;
- 10 (c) re-encrypting said descrambling key, in said access device, using a public key associated with said access device;
- (d) receiving, in said presentation device, said scrambled data component and said re-encrypted descrambling key;
- (e) decrypting, in said presentation device, said re-encrypted descrambling key to obtain said descrambling key; and
- 15 (f) descrambling, in said presentation device, said scrambled data component using said descrambling key.

11. The method of Claim 9 wherein said scrambled program is prerecorded on media and provided to said access device, said encrypted descrambling key being received from said prerecorded media.

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12. Method for recording a scrambled program received from a service provider, said method comprising:

- 25 (a) receiving said scrambled program in an access device, said scrambled program comprising a scrambled data component and an encrypted descrambling key;
- (b) decrypting, in said access device, said encrypted descrambling key using a key associated with said service provider;
- (c) re-encrypting said descrambling key, in said access device, using a public key associated with said access device;
- 30 (d) receiving, in a recording device, said scrambled data component and said re-encrypted descrambling key; and
- (e) recording said scrambled data component and said re-encrypted descrambling key on media coupled to said recording device.

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13. The method of Claim 12 wherein said scrambled program is prerecorded on media.
14. The method of claim 1, wherein the first device is an access device and wherein the second device is a presentation device.
- 5 15. A method for transforming in a security device, content information contained in a scrambled program received from a service provider comprising:
- receiving in said security device the scrambled program containing scrambled content information and a control word;
- 10 descrambling the scrambled content in the security device using the control word;
- generating in the security device another scrambling key;
- re-scrambling the content using said another scrambling key; and
- 15 encrypting a local ECM containing the re-scrambled content using a unique key.

16. The method of claim 15, further comprising determining user entitlement to the scrambled program prior to descrambling the scrambled content.